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November 9, 2020

VIA ECF
United States District Court
Eastern District of New York
<u>Attn</u>: Hon. Sanket J. Bulsara, U.S.M.J.
225 Cadman Plaza East
Courtroom 324N
Brooklyn, NY 11201-1804

> *Re:*   **Plaza Motors of Brooklyn, Inc.,** *et al.* **v. Cuomo,** *et al.*
> **Case No.: 1:20-cv-4851 (WFK) (SJB)_____**

Dear Judge Bulsara:

This firm represents the Plaintiffs in the above-referenced case. Plaintiffs write, pursuant to Rule 26(f) the Federal Rules of Civil Procedure (hereinafter the "Rules" or "Rule") and the Hon. William F. Kuntz II, U.S.D.J.'s (hereinafter "Judge Kuntz") November 5, 2020 Order referring all discovery issues to this Court, to respectfully request a telephonic initial conference to set forth a discovery schedule in this case. Today, Plaintiffs wrote to the Defendants to schedule a time to meet and confer this week to prepare a proposed discovery plan and intend to utilize the Discovery Plan Worksheet referenced in ¶ III(A) of this Court's Individual Practices.

Of note, Defendants Andrew M. Cuomo and Empire State Development Corporation's (hereinafter the "State Defendants" or the "State") recently sought and were denied a stay of discovery pursuant to Judge Kuntz's November 5, 2020 Order. In any event, this Court's Individual Practices already provide that discovery is not stayed pending a motion to dismiss and prior to an initial conference. <u>See</u> ¶ III(B) of this Court's Individual Practices. Accordingly, Plaintiffs respectfully request that an initial conference be scheduled.

Plaintiffs thank this honorable Court for its time and attention to this case.

Dated: Lake Success, New York
       November 9, 2020   Respectfully submitted,

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cc: All counsel of record (via ECF)